

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CAROLYN WENDY HERZ,)	
)	
Plaintiff,)	
)	
v.)	No. 1:20-cv-02576-JRS-MPB
)	
ERIC HOLCOMB, <i>as Governor of the</i>)	
<i>State of Indiana,</i>)	
CURTIS HILL,)	
SANDY SASSO,)	
DENNIS SASSO,)	
LESLIE PAGE,)	
HILLARY CLINTON,)	
VERIZON WIRELESS,)	
MCI COMMUNICATIONS SERVICES, LLC,)	
WILLIAM BARR, <i>as Attorney General of</i>)	
<i>the United States,</i>)	
ASCENSION HEALTH, INC.,)	
RECOVERY CENTERS OF AMERICA)	
HOLDINGS, LLC,)	
)	
Defendants.)	

ORDER DISMISSING ACTION AND DIRECTING FINAL JUDGMENT

This action was timely removed from the Marion Superior Court on October 5, 2020 where it had been filed under Cause No. 49D03-2009-CT-031956. *See* Filing No. 1 (citing 28 U.S.C. §§ 1442(a) (civil actions brought against the United States, its officers, or agencies may be removed to the United States District Court), 1446).

Plaintiff is the same person as Carolyn H. Srivastava, a restricted filer in this Circuit and in this Court as explained in this Court's order of October 13, 2020. Filing No. 8. That Order directed Plaintiff to show cause why this action should not be

dismissed because restrictions have been imposed on her ability to file papers in all federal courts. The Order stayed these proceedings pending further action by the Court, either upon Plaintiff's response to the Order or upon Plaintiff's failure to respond by October 27, 2020.


Plaintiff filed a response on October 27, 2020, which entirely fails to demonstrate that (a) her restricted filer status as referenced above has been altered or does not apply to the present action, (b) she could prosecute this action through the filing of documents in light of her restricted filer status, or (c) there is any reason to delay entry of final judgment.

The Court finds that the orders making Plaintiff a restricted filer prevent her from litigating this case in this Court. Because Plaintiff cannot proceed, this action is **DISMISSED** for failure to prosecute. To prevent further abusive litigation by Plaintiff, this dismissal is with prejudice. To the extent Plaintiff's Motion for Preliminary Injunction filed in State court, Filing No. 7, pends in this removed case, it is **DENIED**.

Judgment consistent with this Order shall now issue.

SO ORDERED.

Date: 10/28/2020



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution by U.S. Mail to:

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Distribution to electronically registered counsel via ECF